

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Nuttina Netsuwan on January 27, 2010.

The application has been amended as follows:

IN THE SPECIFICATION:

According to the specification filed 4/9/09, page 11, replace paragraph [00010] with the following:

--[00010] SEQ ID NO: 1 is a 13-mer of Dengue virus mutant strain MBU 01-2002.--

IN THE CLAIMS:

Claims 1, 3, 5 and 6 have been amended; see attached complete claim listing.

Claim 4 has been cancelled.

Examiner's Comment

The specification was amended to clarify that SEQ ID NO: 1 is a 13-amino acid sequence of the mutant Dengue virus strain MBU 01-2002.

Claim 1 was amended to clarify the modification of the 13-amino acid encoding region just proximal to the pr-M cleavage site. The limitations of claim 4 were incorporated into claim 3. Claim 4 was cancelled without prejudice. Claims 5 and 6 were amended to correct typographical errors.

As indicated in the interview summary (attached), Applicant must submit a substitute CRF, substitute paper listing, and a statement regarding the CRF and paper listing, as set forth in the attached Notice to Comply.

Conclusion

Claims 1-3, 5 and 6 are allowable.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stacy B. Chen whose telephone number is 571-272-0896. The examiner can normally be reached on M-F (7:00-4:30). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Mondesi can be reached on 571-272-0956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Complete Claim Listing with Examiner's Amendment

Claim 1 (Currently Amended) A recombinant genetic construct encoding a dengue viral genome comprising a full-length genome of a dengue virus wherein the construct is modified at a 13-amino acid encoding region just proximal to the pr-M cleavage site ~~which~~ so that it is devoid of negatively-charged amino acids and contains additional positively-charged amino acids relative to a wild-type dengue virus, wherein the modification results in enhanced internal cleavage of the prM protein relative to the wild-type dengue virus.

Claim 2 (Previously Presented) The genetic construct of claim 1 wherein said genetic construct comprises DNA.

Claim 3 (Currently Amended) A mutant dengue virus comprising a full-length genome of a dengue virus wherein the virus comprises a 13-amino acid-encoding region just proximal to the pr-M cleavage site which is devoid of negatively-charged amino acids and contains additional positively-charged amino acids relative to a wild type dengue virus, wherein the mutant virus contains less prM protein on its viral envelope than the wild type dengue virus due to an enhanced internal cleavage of the prM protein.

Claim 4 (Canceled)

Art Unit: 1648

Claim 5 (Currently Amended) A mutant dengue virus of claim 3 wherein the virus induces infected C6/36 mosquito cell line to fuse at ~~the~~ a neutral pH to a greater extent than a wild type dengue virus.

Claim 6 (Currently Amended) A mutant dengue virus of claim 5 wherein the virus is exported out of the infected cells to a lesser extent than a wild ~~wile~~ type dengue virus, ~~result~~ resulting in a lower virus titer in a ~~the~~ culture medium.

Claims 7-10 (Canceled)

/Stacy B Chen/
Primary Examiner, Art Unit 1648